

March 5, 1980

LB 605

SENATOR BEUTLER: Well, Section 1 doesn't make it against the law for one person to engage in disorderly conduct, does it?

SENATOR HABERMAN: It is if he is in fighting or violent behavior, or creates a hazard condition by any act.

SENATOR BEUTLER: But Section 2 says it takes three or more to do that.

SENATOR HABERMAN: Section 3 says when three or more...

SENATOR BEUTLER: I mean Section 2.

SENATOR HABERMAN: ...are participating in disorderly conduct which threatens to cause violence and destructive interference.

SENATOR BEUTLER: Where does the bill say that if one person engages in disorderly conduct that it is a violation of the law?

SENATOR HABERMAN: In Section 1. A person commits disorderly conduct if with intent to cause public inconvenience or alarm or recklessly creating a risk thereof, such person engages in fighting or violent behavior or creates a hazardous condition by any act. I would say that that takes care of the one person and that Section 3 takes care of three or more.

SENATOR BEUTLER: Well, it seems to me, Senator Haberman, that what that section says, it simply says what engaging in disorderly conduct is. It does not say that that is a violation of the law.

SENATOR HABERMAN: You are talking about Section 1?

SENATOR BEUTLER: Yes.

SENATOR HABERMAN: It says a person commits disorderly conduct if with intent to cause inconvenience or alarm or recklessly creates a risk thereof, such person engages in fighting or violent behavior or creates a hazardous condition by any act. Disorderly conduct is a class 3 misdemeanor. Now what you are trying to do, Senator Beutler, to me, is you are trying to practice law on the floor with a layman. Now this is not....if you had these questions, why didn't you come to me and explain them to me so I could have had some legal advice to answer your questions? But